

Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL D. EISENHAUER,

Plaintiff,

v.

SECRETARY OF THE ARMY,

Defendant.

No. C11-5344 RBL

AGREED STIPULATION FOR RELIEF
OF 26(F) CONFERENCE, INITIAL
DISCLOSURES AND JOINT STATUS
REPORT

Plaintiff Michael D. Eisenhauer, filed the above-captioned lawsuit under the Freedom of Information Act (the "FOIA") and the Privacy Act against the Secretary of the Army ("Army") seeking the disclosure of certain documents.

On May 6, 2011, this Court issued an Order setting a joint status conference in this case by July 21, 2011, initial disclosures for July 28, 2011, and requiring that a joint status report to be filed by August 4, 2011.

The parties agree that this case constitutes "an action for review on an administrative record" under FRCP rule 26 (a)(1)(B)(i), and is exempt from the initial disclosure requirements of FRCP rule 26 (a)(1), as well as from the requirements of FRCP Rule 26 (f), requiring the parties to prepare a discovery plan.

1 Accordingly, through their counsel of record, Mr. Eisenhower and the Army hereby
2 STIPULATE AND AGREE that this case constitutes “an action for review on an administrative
3 record” under FRCP rule 26 (a)(1)(B)(i), and is exempt from the Initial Disclosure requirements
4 of FRCP rule 26 (a)(1), as well as from the requirements of FRCP Rule 26 (f), requiring the
5 parties to prepare a discovery plan.

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7 **SO STIPULATED.**

8 DATED this 20th day of July, 2011.

9 Respectfully submitted,
10 JENNY A. DURKAN
United States Attorney

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17 **SO STIPULATED.**

18 DATED this 20th day of July, 2011.

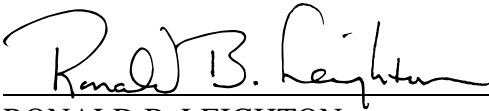
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1 It is hereby **ORDERED** that:

2 The parties are released from the initial disclosure requirements of FRCP rule 26 (a)(1), as
3 well as from the requirements of FRCP Rule 26 (f), requiring the parties to prepare a discovery
4 plan.

5 Dated this 21st day of July, 2011.
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10 RONALD B. LEIGHTON
11 UNITED STATES DISTRICT JUDGE
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